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COMMITTEE ON THE ELIMINATION OF
DISCRIMINATION AGAINST WOMEN
Fifteenth session
15 January-2 February 1996

ADOPTION OF THE REPORT OF THE COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN ON ITS FIFTEENTH SESSION

Draft report

Rapporteur: Ms. Hanna Beate SCHÖPP-SCHILLING (Germany)

Addendum

IV. CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

B. Consideration of reports

4. Second and third periodic reports

Cuba

1. The Committee considered the combined second and third periodic report of Cuba (CEDAW/C/CUB/2-3 and Add.1) at its 294th and 295th meetings on 22 January 1996 (see CEDAW/C/SR.294 and 295).

2. In introducing the combined report, the representative of Cuba recalled that her country had been the first to sign and the second to ratify the Convention on the Elimination of All Forms of Discrimination against Women. That constituted an historic achievement for the country and showed the importance it attached to the Convention. Policies for women, however, had begun already in 1959, following the Revolution, and they still constituted a priority.

3. Despite the economic and political circumstances in which the country had found itself since 1989 as a result of the stepped-up economic embargo by the

United States of America, which had had severe repercussions on the situation of women and children and had led to the deterioration of the quality of people's lives, Cuba had not ceased to go forward towards achieving full equality between the sexes.

4. The representative said she was sorry that the report did not comply with the Committee's general guidelines and replied to the Committee's written questions on implementation of the articles of the Convention.

5. The elimination of all forms of discrimination against women was a major goal of the Cuban Government, and its legal and practical implementation was under constant review by the Government as well as by the Federation of Cuban Women (FMC). Relevant ministries and institutions had developed and promoted programmes to change socio-cultural patterns of conduct between women and men and to educate women on their rights. For children between 6 and 14 years of age, the schooling rate was currently 99 per cent. Girls participated at every level, and constituted 58 per cent of the student population in higher education. In the most recent parliamentary elections, 98.7 per cent of the population had participated. There were, however, still more men than women in positions of political leadership.

6. Women currently made up 40.6 per cent of the labour force in Cuba, which represented a slight increase since 1989, and despite the dramatic drop in production and the subsequent changes in order to re-structure employment, women had not been the most affected group. Efforts were being made, nevertheless, to provide more training for women and opportunities for redeployment, including special measures for female-headed households. The Government was studying the question of wage differentials.

7. While the improvement of women's health had been a major achievement, the embargo currently affected the daily diet of women and children. Furthermore, there remained a need to place emphasis on prevention and risk reduction. Women had a life expectancy of 77.6 years, and there had been a steady reduction in infant mortality. The rate of maternal mortality due to abortion had decreased to 6.4 per thousand but still represented the major cause of maternal mortality.

8. Women had the right to retain their nationality and that of their children after marriage. The violation of the right to equality was a criminal offence in Cuba, and the law offered protection in cases of violence against women. Efforts were being made to step up education for prostitutes and their families, as there had been a re-emergency of prostitution in recent years. Women enjoyed the same rights as men with respect to credit and bank loans and could have title to land on an equal basis with men.

9. Regarding the follow-up to the Beijing Declaration and Platform for Action, the representative said that a large-scale process of information and discussion of the commitments contained in the Beijing document had begun, in which women and the whole society were taking part.

Final observations of the Committee

Introduction

10. The Committee thanked the representative of the Government of Cuba for her detailed responses to the written questions which had been provided prior to the session of the Committee. Although the Committee noted that the second and third combined report of Cuba had not completely followed the guidelines established by the Committee, sufficient information on the implementation of the Convention had been presented to show the progress that the country continued to make in the area of women's rights. It welcomed the high-level representation in the delegation from the national machinery from women.

Factors and difficulties affecting the implementation of the Convention

11. The situation of women in Cuba was of particular interest to the Committee, since its socialist political and socio-economic system had provided its women with different experiences from those of most other Latin American countries, while at the same time, it was subject to an economic embargo. That situation, combined with the disappearance of the Union of Soviet Socialist Republics and its socialist allies, with which Cuba had maintained close economic, commercial and collaborative ties, had had serious repercussions for the Cuban economy. As a result, some of the programmes to promote equal opportunities and to eliminate stereotypes between women and men had been curtailed or suspended, and the food situation in general had deteriorated.

Positive aspects

12. The Committee noted that Cuban legislation regarding equality between men and women was among the most advanced in Latin America and that discrimination was punishable under the law.

13. The Committee also noted the increase in the number of women at all levels and branches of education, in the labour force in a wide variety of occupations, in scientific fields, in sports and in policy-making at local and national levels, and in the diplomatic corps.

14. The steady decline in maternal mortality, largely owing to improved care for pregnant women and better care for children in their early years, was noted by the Committee. It was also noted that deciding the number and spacing of one's children had been proclaimed a fundamental human right.

15. Despite stereotypes of women's role, drop-out rates for girls had been declining, and adult education programmes had been developed.

16. The Committee appreciated the fact that, despite the dramatic drop in economic growth between 1989 and 1994, the Government had tried to distribute its effects throughout the population as a whole so that they would not be felt solely by women. On the whole, women's rights and the enjoyment of those rights had been maintained.

Principal areas of concern

17. The Committee noted the fact that the Government intended to uphold its reservation concerning article 29. It was concerned about the elimination of certain areas of progress for women owing to the embargo and the subsequent economic constraints.

18. The Committee observed that gender stereotypes persisted despite the high levels of school enrolment. Domestic work and child care continued to be the responsibility of women [while men played an active role in public and political life and occupied most senior positions.] [despite the efforts of the Government and the Federation of Cuban Women to change the mentality of society.]

19. The Committee pointed out the need to expand the participation of women at the highest levels of political power to the same proportion as their participation at the grass-roots level.

20. The Committee noted that, owing to the undervaluing of women's work, there was indirect discrimination in women's wages. The Committee expressed interest in the situation of women in trade unions.

21. The Committee noted with some surprise that domestic violence was reported to be infrequent and that it was not considered to be a social problem.

22. The Committee also noted that the economic situation in Cuba resulting from the economic embargo had produced a serious shortage of essential products like medicines and contraceptive devices. That had been problematic for women and for the population as a whole.

23. The Committee was concerned about the re-emergence of prostitution in Cuba, which was linked to the growth in tourism and to the problems facing the economy.

Suggestions and recommendations

24. The Committee recommended that disaggregated data should be collected concerning the number of complaints regarding discrimination.

25. Surveys and studies should be undertaken to determine the extent of violence against women, in particular domestic violence, even if the victims did not file a complaint. [Violence against women should be officially punished. The Committee noted its general recommendation 19 on that question.] [Surveys and studies should be carried out to determine the impact of violence against women, especially domestic violence, in order to find out whether it was going unreported. The authorities should acknowledge the existence of various forms of violence and take steps to punish it, in accordance with general recommendation 19 of the Committee.]

26. Successful programmes to combat sexist prejudices and stereotyping, such as "Mujeres", "Muchachas" and "Perfil F", should be revived as soon as possible, since they helped to address the attitudes of both men and women that needed to

be changed, particularly with regard to the need to share in the care and education of children. That would be in keeping with article 5 of the Convention and general recommendation 21.

27. The Government should do everything possible, under the circumstances, to meet the demand for contraceptives. Special information programmes relating to sexually transmitted diseases, especially HIV/AIDS, should be developed for young girls, particularly those engaged in prostitution, in keeping with article 12 of the Convention and general recommendation 15.

28. Every effort should be made to eliminate the root causes of prostitution, to offer more and better job opportunities to young girls and women, and not to place the sole responsibility for prostitution on the women themselves. Efforts must be undertaken to prosecute procurers and clients who violated those women's rights.

29. A careful study was needed of whether women were paid the same salaries or wages as men for work of equal value, and to document occupational discrimination and its relationship to income.

30. [The Committee expressed its appreciation for the successful work of the Cuban Women's Federation, which represented 90 per cent of the women of Cuba.]

31. The Committee asked that more information should be given in the subsequent report on redeployment of women in the labour market and their income situation. The Committee, noting the active participation of the Federation of Cuban Women in policy-making and in many other fields to advance the status of women, suggested that efforts should be continued to ensure that women had an effective voice in decisions which affected their lives and that an enabling environment was created for women's effective enjoyment of their rights, as set out in the Convention and confirmed at the Fourth World Conference on Women.

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Draft report

Rapporteur: Ms. Hanna Beate SCHÖPP-SCHILLING (Germany)

Addendum

IV. CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

B. Consideration of reports

3. Second periodic report

Belgium

1. The Committee considered the second periodic report of Belgium (CEDAW/C/BEL/2) at its 300th and 301st meetings, on 26 January 1996 (see CEDAW/C/SR.300 and 301).

2. The report was introduced by the Permanent Representative of Belgium to the United Nations and by a representative from the Federal Government and one each from the Flemish and French communities. They underlined that the report under review, submitted in 1992, was outdated to some extent since the constitutional reform of 1994 had introduced a federal system, giving communities and regions the same standing as the federal authority.

3. The Committee was informed that reservations on article 7 and article 15 of the Convention would be withdrawn since a new law had been adopted to enable women to exercise royal powers and changes in the Constitution had rendered void the reservation relating to marriage law. The withdrawal of these reservations would be undertaken, while reservations to all human rights instruments were being revised in keeping with the Vienna Declaration and Programme of Action.

4. Equality was a priority for the federal authority, the communities and regions. Commitments on the promotion of the human rights of women made at an international and European level were taken seriously. To that end, several high-level posts had been established, including that of a Federal Minister for Equality, who was also Minister for Employment and Work and a Minister for Equality in the Flemish Government. Priority concerns were the eradication of violence against women, discrimination in employment, low levels of women in government decision-making, women's health, attitudes that perpetuated sex discrimination and stereotypes in the media.

5. Numerous measures of affirmative action had been taken. To increase the number of women in public life, a law had been adopted in 1994 that stipulated that the number of candidates of the same sex should not exceed two thirds on any electoral list. As a result, the percentage of women had risen from 10 to 12 per cent in the communal elections and from 6 to 8 women (32 per cent) in the elections for the European Parliament.

6. In order to combat violence against women, the Government had adopted a new law on rape, the definition of which included rape within marriage and homosexual relationships. A number of measures to avoid secondary victimization had been taken and included a sexual assault pack to be used in police stations and a campaign in the medical community to establish confidential medical certificates for victims. A landmark law had been adopted in 1995 on trafficking in human beings, which included provision for acts committed extraterritorially.

7. It was reported that voluntary interruption of pregnancy had been made legally possible under certain conditions, upon the written request of the woman, and with mandatory counselling.

8. Representatives stated that women had access to credit and loans and could participate in all aspects of cultural life.

Concluding comments of the Committee

Introduction

9. The Committee welcomed with satisfaction Belgium's detailed and exhaustive presentation, which reflected the significance the country attached to the Convention. The Committee likewise noted the updated information provided by the oral report, which complemented the written report, addressed the questions raised by experts and helped the Committee to appreciate fully the importance of more recent efforts to implement the Convention.

10. The Committee noted the efforts by the Federal Government and the French and Flemish communities to share fully the richness and diversity of their experiences in promoting women's equality in their respective communities by sending representatives from all three to present the report.

Positive aspects

11. The Committee welcomed with appreciation Belgium's intention to withdraw its reservations on article 7, section (b), with respect to royal functions and on article 15 with respect to matrimonial property of rural women.

12. The Committee viewed positively the broad representation of the Council for Emancipation coming from various sectors such as non-governmental organizations, youth and other social partners.

13. The Committee lauded the Government's multicultural orientation for its programmes on women, which respected cultural identities under the umbrella of a federal system.

14. The Committee expressed its satisfaction at the Government's clarification of the definition of rape to include marital rape and its campaign to combat violence against women by mobilizing the media for that purpose. It also appreciated government subsidies to shelters for victims of violence and the training programmes to sensitize law enforcement agencies in dealing with violence against women.

15. The Committee also noted the passage of a landmark law against trafficking in persons, prostitution and pornography with extraterritorial applications, which was a decisive step by the Government of Belgium to address the issue of sexual exploitation of women.

16. The Committee welcomed the Government's efforts to adopt affirmative action measures to promote women's employment in senior positions in the public sector, as well as to nominate women as candidates for governmental advisory bodies.

17. The Committee noted with interest and satisfaction the increasing number of women in politics at the local level.

18. The Committee noted positively the decriminalization of voluntary interruption of pregnancy and the observance of confidentiality in counselling women who may or may not opt for it, and welcomed the information that there had not been an increase in the number of requests for voluntary interruptions of pregnancy.

Principal subjects of concern

19. While lauding the efforts of the Government to promote women's equality, the Committee recognized the relatively low presence of women in public and political life, in high-level government positions, the diplomatic service, in the military, in political parties and trade unions.

20. The Committee also noted the continuing wage gap and workplace segregation between men and women, and the higher unemployment rates among women, leading to the phenomenon of the feminization of poverty.

21. The Committee noted that the complexity of the structure of national machineries for women at the federal and local levels might present problems of implementation and coordination.

22. The written report lacked statistics and analysis of the articles, which clearly did not reflect the richness of the oral presentation.

23. Interest and concern were expressed by the Committee as regards efforts to address the needs of minority groups such as migrant women.

24. The issue of discrimination of women in social security and taxation is likewise of concern to the members of the Committee.

Suggestions and recommendations

25. The Committee recommends that national machineries for women and other mechanisms of equality look into the possibility of a monitoring system to ensure effective coordination and to avoid discrepancies between regions.

26. The Committee suggests that more statistical data and analysis of the articles of the Convention be presented rather than a de jure presentation. Adequate data should be provided on rural women, time-use analysis of women in households, female-headed households and attitudes towards minority women of the Maghreb and African communities.

27. Measures should be taken to address the hidden discrimination in social security and taxation between different groups of women.

28. To address the wage gap, job re-evaluation and reclassification should be explored.

29. The Committee suggests that the Government promote interest in women's participation in competitive sports and in media coverage of such events.

30. Programmes and projects to address the needs of migrant women and other vulnerable women should be made available in the next report.

31. The Committee recommends that in the next report more factual information be given on the impact of the affirmative action policies of the Government and on the obstacles encountered during implementation.

32. The Committee also recommends close monitoring of the impact of the enforcement of the law against trafficking in persons.

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Rapporteur: Ms. Hanna Beate SCHÖPP-SCHILLING (Germany)

Addendum

IV. CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

B. Consideration of reports

5. Third periodic report

Ukraine

1. The Committee considered the third periodic report of Ukraine (CEDAW/C/UKR/3 and Add.1) at its 302nd meeting, on 29 January 1996 (see CEDAW/C/SR.302).

2. In introducing the report, the representative of Ukraine highlighted the changes that the country had undergone since the report's submission in 1991, in particular, the transition from a totalitarian to a democratic regime. The Government was in the process of establishing a national machinery for the advancement of women and several bodies had been set up to study the social situation of women and to protect women. There had also been an increase in women's non-governmental organizations. Currently women accounted for 54 per cent of the population.

3. The representative stated that the legislation of Ukraine was consistent with the provisions of the Convention on the Elimination of All Forms of Discrimination against Women and reported on parliamentary hearings held in July 1995 at which the implementation of the Convention had been discussed in detail. She mentioned the high level of education of women but noted that preference was given to men over women in leadership posts and that women were also not well represented in executive positions. There were no women ministers and no women in the presidium of the Supreme Soviet, and women held only 4 per cent of the seats in Parliament. Women were equal to men in professional training; they had equal access to social, political and cultural activities; they received equal wages and benefited from conditions that made it possible for them to combine work with motherhood, including part-time work and other special benefits.

4. The representative mentioned several laws and measures that had been adopted to improve the situation of families with children and that a law on children would soon be enacted. She also spoke about the severe economic crisis, which had had a major impact on the situation of working women and had increased the threat of poverty. Seventy-four per cent of the unemployed were women.

5. The representative pointed out that Ukraine was undergoing the deepest demographic crisis of the last decade. In the age group between 20 and 50 years the mortality of women was more than three times higher than that of men and the difference in lifespan between women and men had reached 10 years, to the detriment of women. The representative outlined the serious health problems of adolescent girls and said that the number of abortions exceeded the number of births. She said that a national programme of family planning had been launched in September 1995, including making contraceptives available.

6. The representative mentioned the setting up of a network of services and allocation of funds for dealing with negative genetic radiation factors associated with the Chernobyl incident.

Concluding comments of the Committee

Introduction

7. The Committee expressed appreciation for the frank presentation of the third periodic report of Ukraine and welcomed the effort to provide updated information during extensive replies, which supplemented in large measure the statistical data that should have been included in the report.

8. The Committee regretted that the report did not follow the Committee's general guidelines and did not take into account its general recommendations.

Positive aspects

9. The Committee considered that the holding of a parliamentary hearing in 1995 to discuss specifically issues related to the Convention on the Elimination of All Forms of Discrimination against Women showed the importance attached by

the State to the Convention and the Committee's work. It further appreciated the publicity effect of such a step.

10. The Committee noted with satisfaction that Ukraine had ratified all major human rights treaties and had also adopted a new Act on the Effect of International Agreements on Ukrainian Territory in December 1991, by which all international treaties ratified automatically became part of domestic legislation. The Committee commended the fact that the country attached great importance to human rights in general.

11. It was also noteworthy that the Government had made commitments at the Beijing Conference on important issues relating to family life problems faced by women as a consequence of economic transition and had already established regional bodies to oversee the implementation of such special projects.

12. The Committee expressed its satisfaction at the fundamental and positive changes that had recently taken place in Ukraine as described in the oral presentation. It welcomed in particular the adoption of several legal measures to implement the provisions of the Convention.

13. The Committee commended the adoption of the new constitution guaranteeing equality of men and women in all spheres of life in accordance with the Convention.

14. The Committee welcomed the fact that women with disabled or young children enjoyed early pension benefits under Ukrainian law.

Principal subjects of concern

15. The Committee found the persistence of certain cultural patterns and social gender stereotypes to be a major issue affecting the implementation of the Convention.

16. While acknowledging the good intentions behind legal measures adopted to protect maternity, the Committee is of the view that such measures are overprotective of women, rather than empowering to them, and could have a negative effect on the status of women in a market-oriented economy.

17. The Committee noted that there was no clearly formulated policy on women and that national machinery on gender issues was still at an embryonic stage of development. While Ukraine had several entities at the national level to oversee issues relating to women and children, the Committee was concerned that most of those bodies seemed to emphasize welfare of, and protection for, women rather than social and economic empowerment. It was also unclear from the report what enforcement mechanism the Government and parliamentary bodies had to eliminate discrimination against women.

18. The Committee had serious concerns about the deep demographic crisis in the country, in particular, the high mortality rate for women and the fact that the number of abortions exceeded the number of births.

19. The Committee was very concerned about the sexual stereotyping and overprotective labour legislation, which had not proved effective from a public health point of view. This further curtailed reproductive rights of women.

20. The Committee noted the limited access to contraceptives in rural areas, which was indicative of the lack of effective, affordable and acceptable methods of family planning for regulating fertility of women. It was further noted that this led to unsafe abortions, threatening the life of a large number of women.

21. Further concern was expressed at the fact that the rate of women's economic activity had declined significantly in recent years. Women constituted 80 to 90 per cent of the unemployed and female occupations were characterized by substantially lower wages than those paid to men.

22. The Committee had a serious concern regarding the health of the Ukrainian people in general and of women in particular. The problems of sustaining normal pregnancy, of birth defects and of infertility due to radiation poisoning and stress-related difficulties weighed heavily on women.

23. The Committee was concerned about the prevailing low proportion of women in decision-making positions.

24. The Committee noted the absence of measures or plans that would enable men to share parental responsibilities on an equal footing with women.

25. The Committee noted with concern that the minimum age for marriage was not the same for girls as for boys.

26. The Committee was concerned about the growing rate of suicide and deaths related to alcohol poisoning.

Suggestions and recommendations

27. The Committee requested an explanation of "partial non-compliance" with articles 2, paragraphs (d) and (f), 3, 5, paragraphs (a) and (b), 7, paragraph (b), 8 and 14, paragraphs (a) (b) and (h), as stated in the third periodic report and changes in their implementation status in the next report.

28. The Committee recommended that in subsequent reports further information and the status of implementation of commitments made at the Beijing Conference should be provided.

29. The Committee recommended that in view of the successful incorporation into domestic legislation of all international treaties ratified by the country, equal rights as well as human rights education should be made mandatory for judges and law enforcement agencies in Ukraine.

30. The Committee recommended that the Government provide more detailed information in the next report on violence against women, including rape, wife battering, child abuse, incest and other forms of physical and psychological violence against women.

31. The Committee further recommended that Ukraine provide statistical information on minorities living in the country, in particular on Crimean Tartars.

32. The Committee urged the Government to review and amend the legislation that allowed the activities of numerous sex services and the practice of hiring women as dancers, waiters or other staff to work abroad, often leading to prostitution, and to take measures to prosecute criminal offenders and to rehabilitate the victims through education, training and support services.

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Draft report

Rapporteur: Ms. Hanna Beate SCHÖPP-SCHILLING (Germany)

Addendum

IV. CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

B. Consideration of reports

5. Third periodic reports

Hungary

1. The Committee considered the third periodic report of Hungary (CEDAW/C/HUN/3 and Add.1) at its 304th and 305th meetings, on 30 January 1996 (see CEDAW/C/SR.304 and 305).

2. In his introductory statement, the representative of Hungary stressed the importance and high priority attached by his Government to the Convention, to the achievement of equality of women and men,and the integration of women's human rights into the mainstream of human rights activities. Human rights education at all levels was considered to be the appropriate tool to promote the elimination of discrimination.

3. The transition to a new political system, resulting from democratic elections in 1990, opened up new opportunities for civil society. At the same time, the transition from State socialism to democracy had unwanted consequences

regarding women's role and position in society. The concepts of parity, democracy and of equal rights of men and women, while enshrined in the Constitution and in legislation, are not yet a reality. While women participate in local politics, their representation at the national level remains low, and women's organizations are not strong or representative enough to influence government policy on equality issues.

4. A difficult economic situation, falling living standards and economic stabilization measures restrict the possibilities for implementing the Convention, in particular with regard to women's de facto equality. While there is a dramatic increase in unemployment, so far it affects men more than women. However, the situation of elderly women is very precarious, and young women are disadvantaged in the labour market, owing to their lower level of skills and qualifications. The labour market remains segregated. A rise in prostitution is also attributed to high unemployment and other economic hardships.

5. Recent changes introduced in the country included the modification of the family support system, according to which most financial support to families will now be needs-based. Financial child-care benefits are being abolished, and the number of State-sponsored day-care facilities has decreased. The cost of private child care often exceeds the financial means of Hungarian families. Efforts are under way to educate female employees about their rights in the workplace, which is considered very important in a time of drastic economic change. A women's machinery was established within the framework of the Ministry of Labour.

6. The situation of the minority Roma, many of whom live in extreme poverty, is of particular concern to the Government. A programme of action is therefore being elaborated to address educational, employment, social welfare and anti-discrimination aspects.

Concluding comments of the Committee

Introduction

7. The Committee expressed its satisfaction with the manner in which the State party had submitted its third periodic report and engaged in a constructive dialogue with the Committee.

8. The report describes the major changes which have occurred in the country and the serious difficulties confronting women's rights and their effective recognition.

9. The Committee is aware that Hungary is undergoing a period of social and political transition whose economic consequences are not conducive to advancing the status of women.

10. The Committee noted that the report and the oral presentation provided an objective analysis of the situation.

Factors obstructing implementation of the Convention

11. The economic recession, the emergence of neoconservative and neoliberal ideas and the change in attitudes towards the traditional family, with a system of values where the mother is the central element of the household, have had a substantial negative impact on the country's overall situation, creating a feeling of heightened insecurity.

12. Women's issues are consequently no longer a matter of primary concern for the country. The Committee is aware that this transition period is delaying implementation of the Convention and compliance with the commitments made by the State party at the Fourth World Conference.

Positive aspects

13. The Committee notes with satisfaction that Hungary's Constitution and legislation guarantee equal rights to women without any discrimination.

14. The Committee particularly appreciates the legislative and structural reforms recently introduced by the Government to guarantee women's social and political rights, including the Embryo Protection Act, which has considerably reduced the number of induced abortions.

15. The Committee is pleased with the inclusion of human rights teaching, including women's rights as an integral part thereof, in the curricula of primary and secondary schools and at universities.

16. The Committee applauds the cooperation being developed by Hungary with international institutions such as the European Union and the International Labour Organization (ILO) for the further training of human resources, thereby, inter alia, providing women with opportunities to improve their situation.

17. The Committee notes with interest a resurgence of women's non-governmental organizations (NGOs), which are extending links of solidarity with each other, with a view to making women aware of their rights.

18. The Committee notes with satisfaction the emergence of a class of businesswomen in Hungary, which can help to stimulate the country's economy.

Negative aspects

19. The Committee is concerned that there is no coherent policy or any powerful body with special responsibility for coordinating action in favour of women.

20. Since their specific needs are not being taken into account, de facto recognition of women's rights is undeniably meeting obstacles.

21. The Committee expresses concern about the low level of female representation in the decision-making process and in the conduct of public affairs.

22. The Committee notes with alarm that the number of acts of violence and sex crimes against women more than doubled between 1980 and 1993, and consequently deplores the lack of special criminal legislation designed to curb these crimes.

23. The Committee notes with regret that the economic constraints resulting from the transition process are having a particular impact on women's employment and health; female unemployment is increasing and the quality of social services provided to women is deteriorating.

24. In addition, the state of health of the female population is unsatisfactory when judged by international standards. In particular, the high cost of contraceptives prevents women from freely planning when to have children.

25. The Committee notes with concern the scale of the problem of prostitution which affects girls and ethnic minorities in particular.

26. The Committee also notes the very precarious situation of refugee women who are more exposed to discriminatory treatment.

27. The Committee regrets that women's issues are not a priority for the government, political parties or public opinion.

28. The Committee notes with concern the increased emphasis placed on women's role as mothers to the detriment of their role as citizens.

Suggestions and recommendations

29. The Committee recommends that the State party should ensure that the provisions of the Convention are implemented and that the commitments it made at the Fourth World Conference on Women are honoured, by instituting a high-level national mechanism responsible for defining and coordinating a policy for the advancement of women.

30. The Committee invites the Government to take the necessary measures to improve the level of representation of women in all areas of political and public life.

31. The Committee requests the Government to take urgent legislative and structural measures to provide female victims of violence with protection and appropriate and suitable services.

32. The Committee requests the Government to offer sex education programmes to all young people and to subsidize contraceptives in order to promote family planning and reduce the number of abortions.

33. The Committee urgently requests the Government to take all necessary measures to reinsert prostitutes into society.

34. The Committee urges the Government to guarantee social protection for minorities and refugees.

35. The Committee recommends that the Government should support non-governmental organizations and establish a network with a view to strengthening their actions.

36. The Committee urgently requests the Government to take further steps to disseminate the Convention and the general recommendations of the Committee.

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ADOPTION OF THE REPORT OF THE COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN ON ITS FIFTEENTH SESSION

Draft report

Rapporteur: Ms. Hanna Beate SCHÖPP-SCHILLING (Germany)

Addendum

IV. CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION

B. Consideration of reports

6. Report submitted on an exceptional basis

Rwanda

1. The representative of Rwanda made an oral presentation, on an exceptional basis, at the 306th meeting of the Committee, on 31 January 1996 (see CEDAW/C/SR.306). She expressed appreciation for the interest the Committee was showing towards her country. She pointed out that Rwanda had reported four times to the Committee on progress in improving the status of women before the tragic and dramatic events, which included not only four years of war since 1990, but unprecedented genocide, with the massacre of an estimated one million people. There had been violations of human rights on a massive scale.

2. The representative pointed out some of the social, political and economic consequences of the events in her country, including physical, psychological, moral and spiritual destabilization of the population, total destruction of the structures of the State, and an economy which is now dominated by humanitarian

assistance. She pointed out that there had been systematic destruction of the means of production and public services.

3. The representative explained that efforts were under way to address the problems of the country and the effects of the genocide including rehabilitation for those most affected in the population.

4. In describing the particular situation of women, she provided information on the total inadequacy of medical services, the extent of chronic malnutrition, the lack of clean water and the prevalence of HIV/AIDS, noting that women and girls were particularly vulnerable and that, between the ages of 14 and 40, the incidence of maternal death and infant death had increased substantially. They were also suffering from severe psychological effects; anxiety and depression were common.

5. Regarding education, women and girls were particularly affected by the damage to the educational system resulting from the war, as the customs and traditions had previously placed women and girls at a disadvantage and there had been no possibility for improvement under the circumstances.

6. She provided information on the small number of women in political life and noted factors that prevented women from playing a more active role in political decision-making, including poverty and lack of access to information.

7. The representative summarized efforts to promote women, such as economic empowerment, greater sharing of responsibilities among men and women, better social services, legal reform and protection for young women, but emphasized that such efforts were contingent on the rebuilding of the country.

Concluding comments of the Committee

Introduction

8. The Committee expressed appreciation that the distinguished representative of the Government of Rwanda was able to make the oral presentation, taking into account the extremely difficult situation of her country. This was indicative of the commitment to the advancement of women in the country, even during this difficult period of the post-genocide situation. The Committee expressed its solidarity and sympathy with the people of Rwanda, particularly the women and children.

Factors and difficulties affecting the implementation of the Convention

9. The Committee identified as major factors and difficulties in implementing the Convention: (a) the weak State machinery to effectively maintain the peace process, including national reconciliation efforts; (b) the breakdown of mutual support systems; (c) the large number of Rwandan refugees and internally displaced persons; (d) the great number of militias and some civilians who are still armed; (e) the shattered economy and extreme poverty.

Positive aspects

10. The Committee noted with appreciation the establishment of the committee of inquiry to investigate the genocide of 1994 to ensure justice for the perpetrators and safety and rehabilitation for survivors.

11. The Committee commended the Government for initiating a reconciliation process.

12. The Committee welcomed the attempt made by the Government to rebuild infrastructure and the economy.

13. The Committee commended Government's efforts to rehabilitate traumatized people, both physically and psychologically, to enable them to regain their lost image.

14. The Committee noted with interest the establishment of a women's promotion office, which is under the Prime Minister's office, as well as a focal point to provide legal assistance, peace, education and the development of gender-sensitive programmes.

Principal subjects of concern

15. The Committee noted with deep concern the extreme poverty that prevailed and the decimated economy, which allowed very little funding for medical assistance for the survivors of the war.

16. The Committee was dismayed with the massive rape of women and girls during the genocide, which has resulted in widespread HIV/AIDS and other sexually transmitted diseases. This can of course eventually lead to further illness and death for thousands of women and girls.

17. The Committee expressed great concern at the continual supply of arms to the militia which could seriously obstruct the peace process.

18. The Committee noted with concern the prevailing customs, which make women inferior to men.

19. The Committee expressed concern at the high rate of illiteracy, particularly among women.

20. The repatriation of refugees from neighbouring countries is an issue of concern to the Committee.

Suggestions and recommendations

21. The international community, including all United Nations agencies and Governments, must give massive support for poverty alleviation and education programmes aimed at eliminating human rights violations and rehabilitating Rwanda.

22. The Government should support women's quest for equal rights and their contributions in all areas of society, particularly in the reconciliation process and maintenance of peace.

23. The International Tribunal for Rwanda must be equitably constituted and must have a focus on women's rights.

24. There must be a witness protection unit in the war crimes prosecutor's office to protect those who testify about rape and other crimes.

25. The monitoring unit of the Human Rights Field Operation in Rwanda must be educated and trained about sexual assault, rape and mass rape. It is highly commendable that the monitors are appointed with an emphasis on diversity of experience and familiarity with Rwanda's culture and language, and, indeed, many more should be women.

26. A thorough investigation of rape and sexual assault, as had been done on the former Yugoslavia, must be conducted.

27. The Government must put in place legal provisions that would advance women's reproductive and sexual rights, land titles to women and the right of women to be their children's legal parent guardian.

28. The Committee recommends immediate implementation of resolution 1995/5, entitled "Situation of human rights in Rwanda", as well as resolution 1995/14, entitled "Systematic rape and sexual slavery during periods of armed conflict", of the Subcommission on Prevention of Discrimination and Protection of Minorities.

29. It is necessary to organize a consensus-building discussion concerning the repatriation of Rwandan refugees and internally displaced persons. The international community should only encourage repatriation of refugees when there are clear signs from inside Rwanda that suggest such action.

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V. IMPLEMENTATION OF ARTICLE 21 OF THE CONVENTION

1. At its ... meeting, on ..., the Committee considered the implementation of article 21 of the Convention (agenda item 5).

2. The item was introduced by the Deputy Director of the Division for the Advancement of Women, who presented the following reports of the Secretariat:

(a) Note by the Secretary-General on reports provided by specialized agencies of the United Nations on the implementation of the Convention in areas falling within the scope of their activities (CEDAW/C/1996/3 and Add.1-4);

(b) Report of the Secretariat on the analysis of articles 7 and 8 of the Convention (CEDAW/C/1994/4);

(c) Report of the Secretariat on the analysis of article 2 of the Convention (CEDAW/C/1995/4).

A. Action taken by the Committee on the report of Working Group II

3. At its ... meeting, on ..., the Committee considered the item on the basis of the report of Working Group II and took the following decisions.

1. Working paper on general recommendations on articles 7 and 8 of the Convention

4. At its ... meeting, on ..., on the recommendation of Working Group II, the Committee agreed to continue at its sixteenth session, the preparation of general recommendations on articles 7 and 8 of the Convention on the basis of the working paper prepared at its fifteenth session and an additional text to be prepared and supplied to members in the working languages of the Committee well in advance of the sixteenth session. The working paper was prepared after reviewing the draft developed at the Committee's thirteenth session and in the light of developments in the interim (for the text, see ...).

2. Habitat II

5. The Committee adopted a statement on the draft programme for Habitat II (for the text, see ...).

B. Presentation of the Executive Director of the United Nations Population Fund

6. At its 288th meeting, on 16 January 1996, the Executive Director of the United Nations Population Fund (UNFPA) addressed the Committee, stating that the Population Fund would work with other United Nations agencies to inform women's non-governmental organizations and human rights advocates of the work of the Committee. She said that the Fund hoped that such sensitization would enable organizations to monitor the Convention's implementation at the country level.

7. The Executive Director said that the Platform for Action adopted at the Fourth World Conference on Women, held at Beijing in 1995, stated explicitly that the human rights of women and of the girl child are an inalienable, integral and indivisible part of all human rights and fundamental freedoms. The consensus reached at the International Conference on Population and Development, held at Cairo in 1994, had stressed the need for gender equality and equity to enable women to realize their full potential. The Cairo Conference had also urged men to take responsibility for their sexual and reproductive behaviour and family roles.

8. She also indicated that the Beijing Platform for Action had called for a review of laws containing punitive measures against women who had undergone illegal abortion. She added that taking a human rights approach to women's health had implied that national and international policies would be based on the recognition of women's rights.

9. The Executive Director concluded that UNFPA was committed to human rights, and specifically to women's rights. The right to health and the right of couples and individuals to determine the number and spacing of their children had been instrumental in driving its policies.

C. Presentation of the Director of the United Nations Development Fund for Women

10. At its 297th meeting, on 23 January 1996, the Director of the United Nations Development Fund for Women (UNIFEM) addressed the Committee. She noted that the active participation of Committee members at Beijing had ensured that the Convention would become better recognized as the women's human rights Convention. She said that UNIFEM welcomed the opportunity to support the work of the Committee. She pointed out that the principal aim of UNIFEM was to focus on the political and economic empowerment of women. She noted that the human rights framework was a crucial element in the Fund's analysis of and in understanding and addressing the obstacles to women's empowerment, and pledged to work with the Committee to ensure that commitments made to the world's women in the Beijing Platform for Action were implemented. She cited several concrete examples of UNIFEM support of the Convention, including an expert group on the development of guidelines to incorporate gender perspectives in the human rights work of the United Nations, production with the United Nations Children's Fund of an information kit on the Convention and advocacy for the Convention and women's human rights at Beijing. She also noted collaboration with UNFPA towards a "bill of rights" for women and children. The role of UNIFEM as gender adviser to United Nations Resident Coordinators would include advocacy in support of the Convention. She concluded that development would be unsuccessful if it did not include the gender perspective and that society could fly to new heights only when both wings moved freely.

D. Presentation of the Executive Director of the United Nations Children's Fund

11. The Executive Director of UNICEF addressed the Committee at its 303rd meeting, on 29 January 1996. She underlined the commitment of UNICEF to promoting the implementation of the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women, noting that the two Conventions were mutually reinforcing. She said that UNICEF would continue to work on behalf of women and children, re-energized by the Fourth World Conference on Women, in three priority areas. UNICEF would strengthen its work regarding girl's education, the health of girls and women and women's rights. She offered to strengthen the partnership with CEDAW and to work together in the struggle against the apartheid of gender.

E. Presentation of the statement of the United Nations High Commissioner for Human Rights

12. At the 305th meeting, on 30 January 1996, the representative of the Centre for Human Rights presented a statement on behalf of the United Nations High Commissioner for Human Rights. In the statement, the High Commissioner regretted that he could not be present, but indicated that after the Vienna Conference on Human Rights and the Fourth World Conference on Women, it was a critical time for promoting and protecting the equal status and human rights of women, for integrating gender into the work and activities of all organs and

bodies of the human rights programme, and for strengthening mechanisms and procedures addressing women's status and rights.

13. The High Commissioner provided an update on activities of the Centre for Human Rights in relation to advances in encouraging late or non-reporting States to submit reports to treaty bodies, efforts for human rights education, the participation of treaty bodies in world conferences, the integration of a gender perspective in the work of treaty bodies, the exchange of information with other human rights bodies, the wide dissemination of information about the work of United Nations treaty bodies, developments in the methods of work of treaty bodies, and recent activities of the Special Rapporteur on violence against women.

14. The High Commissioner underlined the important role of CEDAW in the overall United Nations strategy to promote and protect all human rights and assured the Committee that he would do his best to promote system-wide cooperation and coordination on women's rights and include the women's perspective in new initiatives on the right to development.